

Exhibit 1

From: [Dalin, Patrick](#)
To: [Napier, Julia M - SOL](#)
Cc: [O'Hara, Gigi](#); [O'Reilly, Laura M - SOL](#); [Martin, Traci E - SOL](#); [Renn-Scanlan, Ambriel - SOL](#); [Coffey, Randy](#)
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps
Date: Wednesday, November 23, 2022 4:15:16 PM

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Julia,

I'm writing to address the additional requests for documents contained in your letter of November 15th.

We are working on your request for employee rosters. However, staffing has been short this week due to the Thanksgiving holiday and we will need until next week on this request. Therefore, we respectfully request a reasonable extension to allow for the production of this information next week.

I will be providing the personnel files and applications that you requested in iManage Share, which is Fisher Phillips' secure ftp transfer site. You will receive a link by email. There is, however, one employee name that we could not locate: [REDACTED] Do you know if he goes by any other name? Or can you point me to where you found this name?

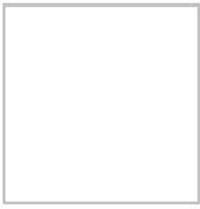
The remaining requests require PSSI to get information from its vendor, Asure. DOL also issued a subpoena to Asure seeking a very large production of data. DOL's subpoena to Asure seeks, among other things, the data that PSSI needs to respond to your November 15th requests. It is our understanding that Asure is working to produce the requested data to DOL, and that it advised DOL that it could not possibly produce the requested information by today, 11/23. It is also our understanding that DOL has extended Asure's deadline to respond to the subpoena to 11/29. PSSI, unfortunately, is not able to get the requested information to you any faster than Asure can. Therefore, we respectfully request the same extension that DOL gave to Asure, and also an agreement that PSSI does not need to duplicate Asure's production.

Please feel free to reach out if you would like to discuss.

Happy Thanksgiving,

Patrick Dalin
Of Counsel

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Two Logan Square | 12th Floor | 100 N. 18th Street | Philadelphia, PA 19103
pdalin@fisherphillips.com | O: (610) 230-6112



[vCard](#) | [Bio](#) | [Website](#)

On the Front Lines of Workplace LawSM

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From: Napier, Julia M - SOL <Napier.Julia.M@dol.gov>
Sent: Monday, November 21, 2022 11:20 AM
To: Dalin, Patrick <pdalin@fisherphillips.com>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>; Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Coffey, Randy <rcoffey@fisherphillips.com>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Patrick,

Thank you for your initial response. I just wanted to clarify when we can expect to receive documents and/or further Reponses to our November 15 letter—we had originally stated today, November 21 at the deadline, but given that it is a holiday week and you all had some clarifying questions about our requests, we are ok with setting a deadline of Wednesday, November 23 for receipt of responsive documents. We will also expect to see updated responses to our November 15 letter by that same deadline, once you all have had a chance to look into the issues we have raised.

Thank you,

Julia

From: Dalin, Patrick <pdalin@fisherphillips.com>
Sent: Friday, November 18, 2022 10:19 PM
To: Napier, Julia M - SOL <Napier.Julia.M@dol.gov>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>; Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Coffey, Randy <rcoffey@fisherphillips.com>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Julia,

Please see the attached correspondence in response to your letter of November 15th.



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From: Napier, Julia M - SOL <Napier.Julia.M@dol.gov>
Sent: Friday, November 18, 2022 10:46 AM
To: Dalin, Patrick <pdalin@fisherphillips.com>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>; Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Coffey, Randy <rcoffey@fisherphillips.com>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Good morning Patrick,

Answers to your questions below.

Request 3(a)(iii): data missing from Asure production between the 1st and 15th of the month is across all plant and all dates.

Request 3(a)iv: data that appears to be missing re: female workers is meant to be responsive for plant 1073, but the documents themselves reference plant 0079. We are unclear on what the disconnect is regarding location but some explanation would be helpful.

Request 3(c): the data we reference is in relation to the Grand Island location. We are not aware of specific instances of injury that required more than first aid attention or time away from work, but

want to assure that we are receiving all records relating to injuries at work sites.

Once PSSI identifies the production issues above, we are hopeful that PSSI will be able to identify any similar issues (should they exist) in relation to other time periods and locations, with the goal of saving time and resources of both PSSI and the Wage and Hour division going forward.

As stated in our letter, unless we hear otherwise, we expect to receive written responses to our November 15 letter by the end of the day today, and production of associated documents by the end of the day on Monday.

Thank you for your assistance, please let me know if you would like to discuss further.

Julia

Julia Napier
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Pronouns: she, her

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From: Dalin, Patrick <pdalin@fisherphillips.com>
Sent: Wednesday, November 16, 2022 8:17 PM
To: Napier, Julia M - SOL <Napier.Julia.M@dol.gov>; Coffey, Randy <rcoffey@fisherphillips.com>; Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Julia,

PSSI is working to gather the documents you requested in your November 15, 2022 letter. In addition, PSSI will be providing copies of the hard copy documents from the Worthington facility as we previously discussed.

However, we are having trouble identifying the issue you describe in some of your requests. Therefore, we request clarification on the following items:

Request 3(a)(iii): Period of time: in some instances, time records including pictures were only provided for the 16th through the end of the month and omit time records from the 1st to the 15th of the month.

Please identify the locations and time periods at issue. It's possible that there was an inadvertent error in the extraction or transfer of the timeclock data and photographs. However, the explanation might also be the fact that PSSI does not clean all of its customer plants every week. Some plants have an intermittent cleaning schedule. For us to identify if there is an issue, or whether what you are observing is consistent with the schedule of work, we need to know what locations you are referring to.

Request 3(a)iv): Only male employees: in some instances, records only include male employees, even where female employees can be seen in the background of time record photos waiting to clock in or out.

Please identify the locations where you have observed this so that we can review the matter and diagnose what might have gone wrong with the extraction of data.

Request 3(c): Injury reports: statements from workers at various plants describe being injured on the job and receiving treatment at the plant. No associated injury reports have been produced.

PSSI has produced its accident and injury reports. If there is the possibility that certain reports were inadvertently left out of the production, we will need more information to locate and produce them. Please identify the plants at issue and the nature of the injuries. Also, did any of these injuries require treatment beyond first aid at the plant?

Please feel free to reach out if you have any questions.

Thank you,



Patrick Dalin

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On the Front Lines of Workplace LawSM

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From: Napier, Julia M - SOL <Napier.Julia.M@dol.gov>

Sent: Tuesday, November 15, 2022 11:06 AM

To: Coffey, Randy <rcoffey@fisherphillips.com>; Renn-Scanlan, Ambriel - SOL <Renn.Scanlan.Ambriel@dol.gov>; Martin, Traci E - SOL <Martin.Traci.F@dol.gov>

Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; Dalin, Patrick <pdalin@fisherphillips.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>

Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Good morning Randy,

Please see attached correspondence regarding PSSI's document production. As I state in the letter, we will be expecting an initial response by this Friday, November 18th. Thank you for your attention to this. Let me know if you have any clarifying questions.

Julia

Julia Napier
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Pronouns: she, her

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napier.julia.m@dol.gov

From: Coffey, Randy <rcoffey@fisherphillips.com>
Sent: Monday, November 14, 2022 11:27 AM
To: Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; Dalin, Patrick <pdalin@fisherphillips.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>; Napier, Julia M - SOL <Napier.Julia.M@dol.gov>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Ambriel, thank you for the information in your email. We will look into the information relating to these employees, as well as the other information in your email, and get back to you.

When Julia reaches out to us, we will be happy to look into whatever the concerns are in regard to the data. Thanks very much.

Randy

J. Randall Coffey
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O: (816) 842-8770

From: Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>
Sent: Monday, November 14, 2022 11:05 AM
To: Coffey, Randy <rcoffey@fisherphillips.com>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>
Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; Dalin, Patrick <pdalin@fisherphillips.com>; O'Reilly, Laura M - SOL <OReilly.Laura.M@dol.gov>; Napier, Julia M - SOL <Napier.Julia.M@dol.gov>
Subject: RE: Walsh v. PSSI -- TRO and Compliance Steps

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Randy,

Thank you for your emails. We appreciate the updates.

A few things.

First, Julia Napier out of our SOL Chicago office is working with Wage and Hour on the production of documents from PSSI's corporate office. There are some significant concerns about the production so far, large gaps of information in certain facilities, missing workers completely, etc. Julia will be in touch in the next few days as to the concerns. I have asked her to reach out directly to you all, and loop the rest of the team in, so we are all on the same page. Obviously, we will need these issues attended to as we move forward.

[REDACTED]

[REDACTED]

[REDACTED]

Third, we will not provide any underlying documentation about any of the minors.

Finally, as we discussed on Thursday, we are working on a consent judgment on our end and will provide it when it's ready.

Best,

Ambriel

From: Coffey, Randy <rcoffey@fisherphillips.com>

Sent: Saturday, November 12, 2022 5:59 PM

To: Renn-Scanlan, Ambriel - SOL <Renn-Scanlan.Ambriel@dol.gov>; Martin, Traci E - SOL <Martin.Traci.E@dol.gov>

Cc: O'Hara, Gigi <Gigi.OHara@KutakRock.com>; Dalin, Patrick <pdalin@fisherphillips.com>

Subject: Walsh v. PSSI -- TRO and Compliance Steps

[REDACTED]

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Ambriel and Traci,

In light of the TRO issued late on Thursday, I wanted to update you about steps that our client, PSSI, has taken yesterday and today, as well as steps that the Company has underway.

First, the Company has informed all management employees of the TRO and its provisions.

Second, the Company has begun an immediate ID check at each site or location, to identify any employee who appears not to be 18 or over. Any employee who even arguably may appear to be under 18 years of age will not be permitted to work until the employee has provided valid identification reflecting the employee's date of birth so that the Company can verify that the employee is 18 or older.

Third, the Company is beginning an expedited audit at all locations to review all employee photographs and other documentation to identify any employee who appears even to possibly be under the age of 18. Additional follow-up and verification then will occur for those individuals, including by comparing identification documents and information that the Company already has on file reflecting dates of birth or age with verification documents provided by an employee as part of this audit to ensure that the currently provided verification documents are consistent with documents previously provided. The Company is beginning this process at the facilities at which DOL executed the warrants, and the process then will immediately move to the other 47 facilities for which DOL has collected data, followed by all of the remaining PSSI facilities. This process will accelerate over the next 2-3 days as we obtain additional outside assistance to ensure that this audit is completed as promptly as possible. The process will have Quality Control procedures to ensure that the results are as reliable as possible.

Obviously, the ID check in the second item above will occur immediately, as noted above. The expedited audit and verification process referenced in the third point will take somewhat longer, but the Company has every intention of completing this portion of the process as quickly as possible.

In the meantime, if DOL has further suggestions as to the Company's compliance with the TRO, we would be happy to receive them from you. We do hope that DOL is cognizant of the fact that the audit process outlined above for hundreds of locations and many thousands of employees cannot be completed in only a day or two, but that the Company is diligently pursuing this process. You mentioned during our discussions the other day regarding a possible consent judgment that you understood it might take some time for the Company to "get it's house in order," and we would hope that the Department would agree that it will not pursue additional enforcement activities or seek to execute any additional warrants while the Company is engaging in this process, as we would be pleased to promptly respond to any questions or issues you might have and we believe that such

actions might actually slow our efforts outlined here. We look forward to DOL's comments regarding the process we have set forth and also would request that DOL please promptly let us know if it believes the course we are pursuing appears to it to be in any way unacceptable or in violation of the provisions of the TRO entered by Judge Gerrard so that we have an opportunity to evaluate those concerns and make any modifications in the event that you believe the Company is not in compliance. Thank you for your consideration.

Randy

 **J. Randall Coffey**
Partner

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rcoffey@fisherphillips.com | O: (816) 842-8770

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